

1 A bill to be entitled
 2 An act relating to the Florida Endowment for
 3 Vocational Rehabilitation; amending s. 318.21, F.S.;
 4 revising the distribution of civil penalties; amending
 5 s. 320.08068, F.S.; revising the distribution of use
 6 fees; amending s. 320.0848, F.S.; revising the
 7 distribution of fees; amending s. 413.402, F.S.;
 8 revising the distribution of funds; amending s.
 9 413.4021, F.S.; revising the duties of the Florida
 10 Endowment Foundation for Vocational Rehabilitation;
 11 amending s. 413.615; revising the duties of the
 12 Florida Endowment Foundation for Vocational
 13 Rehabilitation; providing an effective date.

14
 15 Be It Enacted by the Legislature of the State of Florida:

16
 17 Section 1. Paragraph (e) of subsection (2) and subsection
 18 (5) of section 318.21, Florida Statutes, is amended to read:

19 318.21 Disposition of civil penalties by county courts.—
 20 All civil penalties received by a county court pursuant to the
 21 provisions of this chapter shall be distributed and paid monthly
 22 as follows:

23 (2) Of the remainder:

24 (e) Two percent shall be remitted to the Department of
 25 Revenue ~~and transmitted monthly~~ for deposit in the Grants and

26 Donations Trust Fund of the Division of ~~to the Florida Endowment~~
 27 ~~Foundation for Vocational Rehabilitation of the Department of~~
 28 ~~Education as provided in s. 413.615.~~

29 (5) Of the additional fine assessed under s. 318.18(3)(f)
 30 for a violation of s. 316.1303(1), 60 percent must be remitted
 31 to the Department of Revenue for deposit in the Grants and
 32 Donations Trust Fund of the Division of ~~and transmitted monthly~~
 33 ~~to the Florida Endowment Foundation for Vocational~~
 34 Rehabilitation of the Department of Education, and 40 percent
 35 must be distributed pursuant to subsections (1) and (2).

36 Section 2. Subsection (4) of section 320.08068, Florida
 37 Statutes, is amended to read:

38 320.08068 Motorcycle specialty license plates.-

39 (4) A license plate annual use fee of \$20 shall be
 40 collected for each motorcycle specialty license plate. Annual
 41 use fees shall be distributed ~~to The Able Trust as custodial~~
 42 ~~agent. The Able Trust may retain a maximum of 10 percent of the~~
 43 ~~proceeds from the sale of the license plate for administrative~~
 44 ~~costs. The Able Trust shall distribute the remaining funds as~~
 45 follows:

46 (a) Twenty percent to the Brain and Spinal Cord Injury
 47 Program Trust Fund.

48 (b) Twenty percent to Prevent Blindness Florida.

49 (c) Twenty percent to the Blind Services Foundation of
 50 Florida.

51 (d) Twenty percent to the Florida Association of Centers
 52 for Independent Living ~~Florida Endowment Foundation for~~
 53 ~~Vocational Rehabilitation~~ to support the James Patrick Memorial
 54 Work Incentive Personal Attendant Services and Employment
 55 Assistance Program pursuant to s. 413.402.

56 (e) Twenty percent to the Florida Association of Centers
 57 for Independent Living.

58 Section 3. Paragraph (c) of subsection (4) of section
 59 320.0848, Florida Statutes, is amended to read:

60 320.0848 Persons who have disabilities; issuance of
 61 disabled parking permits; temporary permits; permits for certain
 62 providers of transportation services to persons who have
 63 disabilities.—

64 (4) From the proceeds of the temporary disabled parking
 65 permit fees:

66 (c) The remainder must be distributed monthly as follows:

67 1. To be deposited in the Grants and Donations Trust Fund
 68 of the Division of the Florida Endowment Foundation for
 69 Vocational Rehabilitation of the Department of Education, ~~known~~
 70 ~~as "The Able Trust,"~~ for the purpose of improving employment and
 71 training opportunities for persons who have disabilities, with
 72 special emphasis on removing transportation barriers, \$4. ~~These~~
 73 ~~fees must be directly deposited into the Florida Endowment~~
 74 ~~Foundation for Vocational Rehabilitation as established in s.~~
 75 ~~413.615.~~

76 2. To the Transportation Disadvantaged Trust Fund to be
 77 used for funding matching grants to counties for the purpose of
 78 improving transportation of persons who have disabilities, \$5.

79 Section 4. Subsection (5) of section 413.402, Florida
 80 Statutes, is amended to read:

81 413.402 James Patrick Memorial Work Incentive Personal
 82 Attendant Services and Employment Assistance Program.—The
 83 ~~Florida Endowment Foundation for Vocational Rehabilitation shall~~
 84 ~~maintain an agreement with the~~ Florida Association of Centers
 85 for Independent Living ~~to~~ shall administer the James Patrick
 86 Memorial Work Incentive Personal Attendant Services and
 87 Employment Assistance Program ~~and shall remit sufficient funds~~
 88 ~~monthly to meet the requirements of subsection (5).~~

89 (5) The James Patrick Memorial Work Incentive Personal
 90 Attendant Services and Employment Assistance Program shall
 91 reimburse the Florida Association of Centers for Independent
 92 Living monthly for payments made to program participants and for
 93 costs associated with program administration and oversight in
 94 accordance with the annual operating budget approved by the
 95 board of directors of the association, taking into consideration
 96 recommendations made by the oversight council created under
 97 subsection (6). The annual operating budget for costs associated
 98 with activities of the association for program operation,
 99 administration, and oversight may not exceed 10 ~~12~~ percent of
 100 the funds ~~deposited with the Florida Endowment Foundation for~~

101 ~~Vocational Rehabilitation~~ provided pursuant to ss.
 102 320.08068(4)(d) and 413.4021(1) for the previous fiscal year or
 103 the budget approved for the previous fiscal year, whichever
 104 amount is greater.

105 Section 5. Subsections (1) and (2) of section 413.4021,
 106 Florida Statutes, are amended to read:

107 413.4021 Program participant selection; tax collection
 108 enforcement diversion program.—The Department of Revenue, in
 109 coordination with the Florida Association of Centers for
 110 Independent Living and the Florida Prosecuting Attorneys
 111 Association, shall select judicial circuits in which to operate
 112 the program. The association and the state attorneys' offices
 113 shall develop and implement a tax collection enforcement
 114 diversion program, which shall collect revenue due from persons
 115 who have not remitted their collected sales tax. The criteria
 116 for referral to the tax collection enforcement diversion program
 117 shall be determined cooperatively between the state attorneys'
 118 offices and the Department of Revenue.

119 (1) Notwithstanding s. 212.20, 50 percent of the revenues
 120 collected from the tax collection enforcement diversion program
 121 shall be deposited into the special reserve account of Florida
 122 Association of Centers for Independent Living~~the Florida~~
 123 ~~Endowment Foundation for Vocational Rehabilitation~~, to be used
 124 to administer the James Patrick Memorial Work Incentive Personal
 125 Attendant Services and Employment Assistance Program and to

126 contract with the state attorneys participating in the tax
 127 collection enforcement diversion program in an amount of not
 128 more than \$75,000 for each state attorney.

129 (2) The program shall operate only from funds deposited
 130 into the operating account of the Florida Association of Centers
 131 for Independent Living~~Florida Endowment Foundation for~~
 132 ~~Vocational Rehabilitation.~~

133 Section 6. Paragraphs (b) and (c) of subsection (4) and
 134 subsections (10) and (12) of section 413.615, Florida Statutes,
 135 are amended to read:

136 413.615 Florida Endowment for Vocational Rehabilitation.—

137 (4) REVENUE FOR THE ENDOWMENT FUND.—

138 (b) The principal of the endowment fund shall derive from
 139 ~~the deposits made pursuant to s. 318.21(2)(c), together with any~~
 140 legislative appropriations which may be made to the endowment,
 141 and such bequests, gifts, grants, and donations as may be
 142 solicited for such purpose by the foundation from public or
 143 private sources.

144 (c) ~~All funds remitted to the Department of Revenue~~
 145 ~~pursuant to s. 318.21(2)(c) and (5) shall be transmitted monthly~~
 146 ~~to the foundation for use as provided in subsection (10).~~ All
 147 remaining liquid balances of funds held for investment and
 148 reinvestment by the State Board of Administration for the
 149 endowment fund on the effective date of this act shall be
 150 transmitted to the foundation within 60 days for use as provided

151 in subsection (10).

152 (e) Funds received from state sources shall be accounted
153 for separately from bequests, gifts, grants, and donations which
154 may be solicited for such purposes by the foundation from public
155 or private sources. Earnings on funds received from state
156 sources and funds received from private sources shall be
157 accounted for separately.

158 (9) ORGANIZATION, POWERS, AND DUTIES.—Within the limits
159 prescribed in this section or by rule of the division:

160 (j) Administrative costs shall be kept to the minimum
161 necessary for the efficient and effective administration of the
162 foundation and are limited to 15 percent of total estimated
163 expenditures in any calendar year. Administrative costs include
164 payment of travel and per diem expenses of board members,
165 officer salaries, chief executive officer program management,
166 audits, salary or other costs for non-officers and contractors
167 providing services not directly related to the mission of the
168 foundation as described in subsection (5), costs of promoting
169 the purposes of the foundation, and other allowable costs.
170 Administrative costs shall be paid only from private funds and
171 the earnings thereon.

172 (k) The foundation shall publish on its website:

173 1. The annual audit required by subsection (11) and the
174 annual report required by subsection (12).

175 2. For each position filled by an officer or employee, the

176 position's compensation level.

177 3. A copy of each contract into which the foundation
 178 enters.

179 4. Information on each program, gift, or grant funded by
 180 the foundation, including:

181 a. Projected economic benefits at the time of the initial
 182 award date.

183 b. Information describing the program, gift, or grant
 184 funded.

185 c. The geographic area impacted.

186 d. Any matching, in-kind support, or other support.

187 e. The expected duration.

188 f. Evaluation criteria.

189 5. The foundation's contract with the Division of
 190 Vocational Rehabilitation required by subsection (6).

191 (10) DISTRIBUTION OF MONEYS.—The board shall use the
 192 moneys in the operating account, by whatever means, to provide
 193 for:

194 (a) Planning, research, and policy development for issues
 195 related to the employment and training of disabled citizens, and
 196 publication and dissemination of such information as may serve
 197 the objectives of this section.

198 (b) Promotion of initiatives for disabled citizens.

199 (c) Funding of programs which engage in, contract for,
 200 foster, finance, or aid in job training and counseling for

201 disabled citizens or research, education, demonstration, or
 202 other activities related thereto.

203 (d) Funding of programs which engage in, contract for,
 204 foster, finance, or aid in activities designed to advance better
 205 public understanding and appreciation of the field of vocational
 206 rehabilitation.

207 (e) Funding of programs, property, or facilities which
 208 aid, strengthen, and extend in any proper and useful manner the
 209 objectives, work, services, and physical facilities of the
 210 division, in accordance with the purposes of this section.

211

212 Any funds used to conduct research, advertising or consulting
 213 shall be made pursuant to a competitive solicitation. State
 214 funds may not be used to fund events for private sector donors
 215 or potential donors or to honor supporters.

216 (12) ANNUAL REPORT.—The board shall issue a report to the
 217 Governor, the President of the Senate, the Speaker of the House
 218 of Representatives, and the Commissioner of Education by
 219 February 1 each year, summarizing the performance of the
 220 endowment fund for the previous fiscal year, summarizing the
 221 foundation's fundraising activities and performance, and
 222 detailing those activities and programs supported by the
 223 endowment principal or earnings on the endowment principal or by
 224 bequests, gifts, grants, donations, and other valued goods and
 225 services received. The report shall also include:

226 (a) Financial data, by service type, including expenditures
 227 for administration and the provision of services.

228 (b) Outcome data including the number of individuals
 229 served, including employment outcomes.

230 (14) REPEAL.—This section is repealed October 1, 2018
 231 ~~2017~~, unless reviewed and saved from repeal by the Legislature.

232 Section 7. This act shall take effect July 1, 2017.